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Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-eighth year

Identical letters dated 7 August 2013 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith a statement of the Ministry of Foreign Affairs of Georgia, dated 7 August 2013, regarding the fifth anniversary of the Russia-Georgia August 2008 War (see annex).

I should be grateful if you would have the present letter and its annex issued as a document of the sixty-seventh session of the General Assembly, under agenda item 34.

(*Signed*) Kaha **Imnadze**
Ambassador
Permanent Representative

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Annex to the identical letters dated 7 August 2013 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia on the fifth anniversary of the Russia-Georgia August 2008 War

Five years after Russia's incursion into the sovereign territory of Georgia and its large-scale military aggression against the independent State on 7 August 2008, Russian armed forces continue the effective occupation of 20 per cent of Georgia's territory, in flagrant violation of the fundamental principles of international law, and deprive hundreds of thousands of victims of the several waves of ethnic cleansing, including that of 2008, of their internationally recognized right to safe, dignified and voluntary return. This has also been reflected in Russia's persistent efforts to obtain the recognition of Georgia's occupied regions under its effective control and heavy military presence, including through active application of political, military and economic leverage.

Thus far, the Russian Federation continues to flout its obligations under the six-point ceasefire agreement, brokered by the European Union and signed by Georgia and Russia on 12 August 2008. Instead of withdrawing its forces to their pre-war positions, as set out in the ceasefire agreement, the Russian Federation has exponentially reinforced its military bases, illegally deployed in Georgia's occupied regions, by installing heavy offensive equipment and increasing the number of military personnel.

Contrary to the provisions of the 12 August 2008 ceasefire agreement, the Russian Federation openly opposes the establishment of international security and stability mechanisms in the territories under its effective control and continues to halt humanitarian access therein.

Despite Russia's aggression in August 2008 and its persisting destructive policy directed against Georgia's independence and statehood, the Government of Georgia seeks a gradual normalization of relations with the Russian Federation, based on the principle of the sovereignty and territorial integrity of Georgia within its internationally recognized borders. In an effort to create conditions conducive to the de-escalation of tensions with Moscow, Georgia has undertaken a number of concrete, substantial initiatives: Tbilisi undertook a unilateral legally binding pledge not to use force to solve the conflict, removed barriers for Russia's membership in the World Trade Organization, unilaterally abolished the visa requirements for citizens of the Russian Federation, refused to boycott the Sochi Olympic Games in 2014, stated its readiness to cooperate in ensuring the security of the Olympics in Sochi, and nominated a special representative on relations with the Russian Federation, reaffirming the political will and readiness to resume trade, economic, humanitarian and cultural relations with Russia.

Notwithstanding the certain degree of positive dynamic in the spheres of economic and humanitarian cooperation, unfortunately, Moscow has further intensified its provocative policies aimed at destabilizing Georgia. The Russian side has reactivated the process of installing barbed-wire fences and embankments across the occupation line in the Tskhinvali and Abkhazia regions that are in full breach of

public international law and represent human rights violations. The expansion of the area of occupation, by installing fences and setting up other installations, into the territory of Georgia clearly violates Georgia's sovereignty, territorial integrity and the inviolability of internationally recognized borders and is in flagrant violation of the 12 August ceasefire agreement. Moreover, Russia, as an occupying power, exercising effective control over the Abkhazia and Tskhinvali regions of Georgia, bears responsibility under international law to respect the fundamental rights and freedoms of the population residing in the occupied territories.

On the fifth anniversary of the Russia-Georgia August 2008 war, the Government of Georgia reiterates that its goal is to resolve the existing conflict with Russia in a peaceful manner through negotiations based on the principles of international law.

Georgia maintains a constructive position in the framework of the Geneva discussions. Unfortunately, Russia has intensified its strategy aimed at undermining the Geneva international discussions, which further threatens the implementation of the 12 August 2008 ceasefire agreement. Georgia highly values the Geneva international discussions and through its active cooperation with the co-chairs — the European Union, the United Nations and the Organization for Security and Cooperation in Europe — is committed to advancing substantial work on the realization of the two main aims of the discussions, namely, developing international security arrangements and ensuring the safe and dignified return of displaced persons.

Georgia strives to restore confidence and trust between the people divided by the war, re-engage them in common endeavours and restore day-to-day relations. By extending the hand of reconciliation to Abkhaz and Ossetian compatriots, the goal is to offer them opportunities for economic and social development and to enable the communities divided by the occupation line to set aside past disagreements and build a shared future.

Georgia is grateful to its partners, who did not leave the country alone either during the August 2008 war, or afterwards, in the face of the existential challenge to its security and stability. Georgia values the diplomatic efforts of the allies, who helped to stop and deter further aggression by the Russian troops and provided considerable assistance to the Georgian Government in restoring economic stability and repairing damaged infrastructure. Georgia is particularly grateful to the European Union and its member States that contributed personnel to the European Union Monitoring Mission — the only viable international mechanism currently operating in the territory of Georgia and an essential guarantor of its security and stability.

The Government of Georgia believes that building an independent and democratic state is the most effective and certain way to achieve a prosperous future for the reunited Georgia. In implementing this vision, we need close partnerships with the countries of the region, with members of the Euro-Atlantic family and with international organizations. From its side, Georgia remains committed to assuming an active role in the strengthening of international security in the region and the world.

Despite the existing serious challenges, Georgia stands firmly in its course towards European and Euro-Atlantic integration and spares no efforts towards

realizing the aspiration of the Georgian people. The recent evolution of the relations between the European Union and Georgia enables Georgia to look confidently towards the future. Further integration into the European family will not only help towards successfully accomplishing Georgia's national project but will also establish the country firmly among the free and democratic nations of the world.

Tbilisi, 7 August 2013

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Letter dated 9 August 2013 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 6 August 2013 (S/2013/471) concerning the composition of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 has been brought to the attention of the members of the Security Council. The members of the Council support your intention to appoint Mandiaye Niang as a permanent judge of the International Tribunal in accordance with article 12 *bis*, paragraph 2, of the statute of the Tribunal.

(*Signed*) María Cristina **Perceval**
President of the Security Council

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